

# **Exhibit 13**

## **Excerpts of the Email from Jennafer Tryck to Oracle's counsel, Re: Correspondence re Document Custodians, dated July 26, 2019**

**From:** Tryck, Jennafer M. <JTryck@gibsondunn.com>  
**Sent:** Friday, July 26, 2019 5:01 PM  
**To:** Minne, Jacob J.O.; \*\*\* Rimini I Oracle Service List - (External)  
**Cc:** \*\*\* Rimini I GDC Team  
**Subject:** RE: Rimini I -- Correspondence re Document Custodians  
**Attachments:** Rimini I\_Search Terms and Custodians\_2019.26.07.xlsx; ATT00001.htm

[EXTERNAL EMAIL]

Counsel,

As you requested, attached is a spreadsheet showing the hit counts for the search terms Oracle identified in its July 12 letter, which we ran across the emails and IMs for the eight priority custodians identified in your July 18 letter (Tim Conley, Michael Jacob, Nancy Lyskawa, David Miller, Seth Ravin, Don Sheffield, Jim Benge, and Ron Teegarden). Please confirm that Oracle will agree to proceed with these eight custodians and withdraw its request for more or different custodians.

If Oracle would like to swap out any of these eight custodians for other custodians identified in its July 12 letter, please identify those substitutions immediately. Rimini will agree to Oracle making one such change. Given the significant time and burden involved in collecting information from each custodian, and the need to move ahead quickly with custodial document review and production, Rimini does not agree to collect data and generate hit counts for any new custodians in advance of Oracle committing to those custodians.

Please note that the volume of documents generated by Oracle's search terms for the eight priority custodians is 225,983 (see table below). These numbers do not include data from custodian hard drives (which is still being processed) or document families, which will also need to be reviewed. The volume will need to be reduced drastically to arrive at a reasonable set of documents to review within the timeframe set by the Court for this proceeding. We therefore request that Oracle promptly propose narrowed search terms, particularly for the terms highlighted in yellow in the attached spreadsheet.

| Priority Custodians  | Counts        |
|----------------------|---------------|
| Benge_Jim            | 23751         |
| Conley_Tim           | 8634          |
| Jacob_Michael        | 5710          |
| Lyskawa_Nancy        | 33431         |
| Miller_David         | 19738         |
| Ravin_Seth           | 67875         |
| Sheffield_Don        | 8964          |
| Teegarden_Ron        | 73437         |
| <b>Unique Totals</b> | <b>225983</b> |

Finally, please note that Rimini will not agree to additional custodians or search terms once this set is finalized, in light of the very short time to complete discovery. For the same reason, Rimini will only review documents once. Accordingly, if Oracle intends to serve any additional document requests within the limits set by the Court, please do so immediately.

Regards,  
 Jenny

Jennafer Tryck

## GIBSON DUNN

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**From:** McCracken, Casey J. <[CMcCracken@gibsondunn.com](mailto:CMcCracken@gibsondunn.com)>  
**Sent:** Tuesday, July 23, 2019 4:44 PM  
**To:** [jacob.minne@morganlewis.com](mailto:jacob.minne@morganlewis.com); \*\*\* Rimini I Oracle Service List - (External) <[RiminiOracleServiceList@gibsondunn.com](mailto:RiminiOracleServiceList@gibsondunn.com)>  
**Cc:** \*\*\* Rimini 1 9th Cir. Appeal <[Rimini19thCirAppeal@gibsondunn.com](mailto:Rimini19thCirAppeal@gibsondunn.com)>  
**Subject:** Rimini I -- Correspondence re Document Custodians

Counsel,

Please see the attached letter from me regarding document custodians.

Regards,  
Casey

**Casey McCracken**

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